

EXHIBIT 8 – CITED PAGES FROM DEPOSITION OF WILLIAM REBELLO

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

- - -

ALISON O'DONNELL,

Plaintiff,

vs.

Case No. 1:16-cv-2450
Judge Donald E. Nugent

UNIVERSITY HOSPITALS
HEALTH SYSTEM, et al.,

Defendants.

- - -

DEPOSITION OF WILLIAM R. REBELLO
Friday, August 18, 2017

- - -

The deposition of WILLIAM R. REBELLO, a
Defendant herein, called for examination by the
Plaintiff under the Federal Rules of Civil
Procedure, taken before me, Diane M. Stevenson,
a Registered Diplomate Reporter, Certified
Realtime Reporter, and Notary Public in and for
the state of Ohio, pursuant to notice, at The
Spitz Law Firm, 25200 Chagrin Blvd., Suite 200,
Beachwood, Ohio, commencing at 9:07 a.m., the
day and date above set forth.

Stevenson Reporting Service, Inc.
2197 Macon Court Westlake, Ohio 44145
440.892.8600 diane@nls.net

1 Maybe the -- because I can't judge the
2 substance of a note; I don't have any clinical
3 background. But I don't know if it was the
4 length of her notes or the detail of her note
5 compared to some other residents' -- or
6 fellows' note.

7 Q. Was she directing her complaints, any of the
8 complaints she made to you that day, at anybody
9 specific, any of the physicians?

09:34 10 A. I believe Dr. Uli.

11 Q. Anyone else?

12 A. Not that I can recall.

13 Q. So she brought up the timeliness of patient
14 notes, possibly the substance, you are not sure
15 about that. What about -- what else did she
16 raise as an issue?

17 A. I believe that was it at that time.

18 Q. How long was this meeting with Dr. O'Donnell?

19 A. Probably less than 45 minutes, I would say.

09:34 20 Q. Did she give you any documents to keep?

21 A. Not that I recall.

22 Q. Did you take any notes during this meeting?

23 A. No, I couldn't find any notes from back then
24 because usually I put them in her file. I
25 pulled her file from archives when I saw the

1 Kind of solemn, maybe.

2 Q. Did she mention anything about her race during
3 this meeting?

4 A. No.

5 Q. Did she mention anything about any medical
6 conditions she suffered from?

7 A. No.

8 Q. Did she talk about Wednesday conferences?

9 A. No, I don't believe in the first meeting.

09:37 10 Q. Did she mention any other physicians in terms
11 of directing complaints towards them other than
12 Dr. Uli?

13 A. Not that I can recall in that first meeting.

14 Q. So the sort of conclusion of the first meeting
15 was you directed her back to the program
16 director and/or the faculty in the fellowship?

17 A. Yes, to find out the required -- like what they
18 wanted her, exactly, to do. It just seemed
19 like a miscommunication to me.

09:37 20 Q. And did she say, "Okay, I will do that"?

21 A. I believe so. Yeah, I believe she did.

22 Q. Did you talk with anyone about this meeting
23 with Dr. O'Donnell? Did you go --

24 A. Just to my director, Dr. Shuck.

25 Q. What did you tell Dr. Shuck?

1 A. That I had met with her and she was concerned
2 about her notes and her progress notes, or
3 something like that.

4 Q. And did Dr. Shuck indicate whether or not he
5 had met with or spoken to Dr. O'Donnell before
6 about any of these issues?

7 A. No.

8 Q. Did you speak with anyone else about the
9 meeting other than Dr. Shuck?

09:38 10 A. Not that I recall, no.

11 Q. When was the next time you heard from
12 Dr. O'Donnell?

13 A. I believe it was like four months later in
14 March she came back.

15 Q. Came back to your office?

16 A. Correct.

17 Q. Was this a scheduled meeting or unannounced?

18 A. Unannounced.

19 Q. Had you spoken with her in between these two
09:38 20 events?

21 A. No.

22 Q. Do you know whether she had spoken to anyone
23 else in your office between these two events?

24 A. No.

25 Q. So if she came in. And tell me what was the

1 Q. So was she giving you examples of situations
2 where it was tough for her to speak up or
3 situations where her disorder made it tough for
4 her?

5 A. Yes.

6 Q. Tell me all the examples you can recall.

7 A. Well, basically, like she didn't -- she said it
8 was like on the fly, like if they are rounding
9 and there was more than one fellow with her or
10 one resident and then attendings asking
11 questions, it was difficult for her just to
12 speak up and be heard over everyone else.

13 And then the same thing at conferences,
14 like there wasn't very much specific things
15 other than she was having problems speaking up
16 in front of an audience with no time to
17 prepare.

18 Q. Did she specifically talk with you about these
19 conferences that happen on Wednesdays?

20 A. I don't remember that. I don't recall that.
21 I do recall her saying something about -- I was
22 trying to think of what -- just about at
23 conferences how conflictive it was for her
24 there, like how loud it was.

25 Q. Now, these conferences that she is referring

1 to, you don't attend any of these, correct?

2 A. No.

3 Q. So you have no personal knowledge as to how
4 these conferences are conducted, correct?

5 A. None.

6 Q. How long did this second meeting last with
7 Dr. O'Donnell?

8 A. I would guess less than -- about the same as
9 the first meeting.

09:44 10 Q. Around about 45 minutes, maybe?

11 A. Yeah.

12 Q. Did she bring any documents with her the second
13 time?

14 A. Yes.

15 Q. Was it, from what you could tell, the same
16 binder?

17 A. The same binder.

18 Q. Was this like an actual it was like a
19 three-ring binder that she had?

09:44 20 A. Correct.

21 Q. Did she show any of it to you during the second
22 meeting?

23 A. She opened it and showed me things in it.

24 Q. What did she show you?

25 A. From what I recall, notes that she had written,

1 some plan that she wanted done with Dr. Uli and
2 the rest of the faculty over there. Some of
3 her evaluations were in there. I think that
4 was about it.

5 Q. Did she give you any of these documents to
6 keep?

7 A. Not that I recall.

8 Q. At any point during this meeting or the first
9 meeting, did you ever ask to review her binder
10 that she had with her?

11 A. No.

12 Q. Did you ever ask to keep any of the documents
13 she had in her binder?

14 A. No.

15 Q. Now, this second meeting was just the two of
16 you, as well?

17 A. Correct.

18 Q. Did she indicate whether she had spoken to
19 anyone else about the complaints that she was
20 now making to you?

21 A. No.

22 Q. By this point do you know whether she had
23 spoken to Dr. Shuck at all?

24 A. No, I wasn't aware if she did.

25 Q. Did she say whether or not she had raised any

1 of these complaints with Dr. Uli or any of the
2 other physicians in the program?

3 A. I wasn't sure if she did or didn't. No, she
4 didn't tell me, specifically.

5 Q. All right. So she referenced her social
6 anxiety disorder. She said she was being
7 discriminated against based on being an
8 African-American. Did she raise any other
9 forms of discrimination she said she was
09:46 10 experiencing other than based on race and her
11 medical condition?

12 A. No.

13 Q. So what direction, if any, did you give her
14 during this meeting?

15 A. I told her I was going to report this to human
16 resources.

17 Q. You said that you were going to report it to
18 human resources?

19 A. Right, because we don't handle discrimination
09:47 20 or medical condition issues. HR and corporate
21 health would.

22 Q. But I just want to be clear. You told her that
23 you were going to report it; you didn't tell
24 her that she should go report it?

25 A. No, I told her that I would.

1 Q. In fact, did you do that?

2 A. Yes, I e-mailed Julie Chester.

3 Q. She was the contact in HR?

4 A. She was the director of human resources.

5 Q. Other than e-mailing Julie Chester, did you
6 then have any follow-up conversations with her
7 about what Dr. O'Donnell had communicated to
8 you?

9 A. I believe I went to Dr. Shuck and informed him,
10 as well, verbally.

11 Q. You, basically, reiterated to Dr. Shuck what
12 Dr. O'Donnell had communicated to you?

13 A. Correct.

14 Q. And then did Dr. Shuck indicate what he was
15 going to do with that information?

16 A. No.

17 Q. Did you indicate to Dr. Shuck that you had
18 reached out to Julie Chester?

19 A. Correct.

20 Q. Did Julie Chester follow up with you for more
21 information?

22 A. Yes.

23 Q. Before we move to that, so in your second
24 meeting with Dr. O'Donnell, you told her that
25 you were going to report to HR. Did she say